

**EXHIBIT B – ALBERTSON'S, LLC'S  
AFFIDAVITS OF SERVICE  
AND WAIVERS OF SERVICE**

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

City of Chico, California

*Plaintiff(s)*

v.

Civil Action No. 1:20-op-45189

AmerisourceBergen Drug Corporation, et al.

*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Albertson's LLC  
250 E. Parkcenter Blvd.  
Boise, ID 83706

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: J. Burton LeBlanc, IV

Baron & Budd, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 05/05/2023



SANDY OPACICH, CLERK OF COURT

s/ Heather Sherer

*Signature of Clerk or Deputy Clerk*

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

City of Chico, California )  
Plaintiff(s) )  
v. )  
AmerisourceBergen Drug Corporation, et al. )  
Defendant(s) )  
Civil Action No. 1:20-op-45189

## **SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Albertson's LLC

c/o C T Corporation System  
330 N. Brand Blvd. Suite 700  
Glendale, CA 91203

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: J. Burton LeBlanc, IV

3, Burton LeBlanc, P.C.  
Baron & Budd, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



*SANDY OPACICH, CLERK OF COURT*

Date: 05/05/2023

s/ Heather Sherer

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:20-op-45189

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

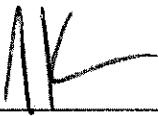
This summons for *(name of individual and title, if any)* Alberton's LLC was received by me on *(date)* May 16, 2023, 9:28 am.

I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or  
 I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or  
 I served the summons on *(name of individual)* Emanuel Jacobo, Intake Specialist for C T Corporation System, Registered Agent, who is designated by law to accept service of process on behalf of *(name of organization)* Alberton's LLC on *(date)* Tue, May 16, 2023 at 10:30 am PDT; or  
 I returned the summons unexecuted because: \_\_\_\_\_; or  
 Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date:

  
\_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

*Date: 5/17/2023*

Nicholas Kosearas, Process Server  
Los Angeles County; Registration # 2022213883

*Printed name and title*

500 W Colorado Street Unit C # 406, Glendale , CA 91204

*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: May 16, 2023, 10:30 am PDT at C T Corporation System, 330 N. Brand Blvd. Suite 700, Glendale, CA 91203 received by Emanuel Jacobo, Intake Specialist for C T Corporation System, Registered Agent.

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

|  |   |                                |
|--|---|--------------------------------|
| City of Chico, California                  | ) |                                |
| Plaintiff                                  | ) |                                |
| v.   | ) | Civil Action No. 1:20-op-45189 |
| AmerisourceBergen Drug Corporation, et al. | ) |                                |
| Defendant                                  | ) |                                |

WAIVER OF THE SERVICE OF SUMMONS

To: J. Burton LeBlanc, IV  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 5-16-23



Signature of the attorney or unrepresented party

Francis A. Citera

Printed name

Greenberg Traurig, LLP  
77 W. Wacker Dr. Suite 3100  
Chicago, IL 60601

Address

citeraf@gtlaw.com

E-mail address

(312) 456-8400

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

**UNITED STATES DISTRICT COURT**  
for the  
**Northern District of Ohio**

City of Ormond Beach, Florida

*Plaintiff(s)*

v.

Civil Action No. 1:19-op-46121-DAP

AmerisourceBergen Drug Corporation, et al.

*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Albertson's LLC  
250 E. Parkcenter Blvd.  
Boise, ID 83706

C T Corporation System  
330 N. Brand Blvd. Suite 700  
Glendale, CA 91203

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: J. Burton LeBlanc, IV

Baron & Budd, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*SANDY OPACICH, CLERK OF COURT*

Date: 3/27/23

/s/Robert Pitts

*Signature of Clerk or Deputy Clerk*



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:19-op-46121

**PROOF OF SERVICE**

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This summons for (*name of individual and title, if any*) Alberton's LLC was received by me on (*date*) May 16, 2023, 9:28 am.

I personally served the summons on the individual at (*place*) \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_, a person of suitable age and discretion who resides there, on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) Emanuel Jacobo, Intake Specialist for C T Corporation System, Registered Agent, who is designated by law to accept service of process on behalf of (*name of organization*) Alberton's LLC on (*date*) Tue, May 16, 2023 at 10:30 am PDT; or

I returned the summons unexecuted because: \_\_\_\_\_; or

Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date:



Date: 5/17/2023

*Server's signature*

Nicholas Kosearas, Process Server  
Los Angeles County; Registration # 2022213883

*Printed name and title*

500 W Colorado Street Unit C # 406, Glendale , CA 91204

*Server's address*

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|--|---|--------------------------------|
| City of Ormond Beach, Florida              | ) |                                |
| Plaintiff                                  | ) |                                |
| v.   | ) | Civil Action No. 1:19-op-46121 |
| AmerisourceBergen Drug Corporation, et al. | ) |                                |
| Defendant                                  | ) |                                |

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(Name of the plaintiff's attorney or unrepresented plaintiff)

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I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 5-16-23

  
Signature of the attorney or unrepresented party

Francis A. Citera

Printed name

Greenberg Traurig, LLP

77 W. Wacker Dr. Suite 3100

Chicago, IL 60601

Address

citeraf@gtlaw.com

E-mail address

(312) 456-8400

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

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If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.